

**The following is the victim statement from Rachel Wilson, provided to reporters on August 2, 2019 following the sentencing of Ian Elliott before Chief Judge Eric Janes in Isabella County (MI) Circuit Court:**

Ian – almost three years ago today, at approximately 2am on August 31<sup>st</sup>, 2016, I awoke to the sharp smell of vomit, in a room I didn't recognize, with a man I didn't know leering in the doorway. I looked down to see that someone changed my vomit-covered clothing. My mouth still tasted of vomit. Yet, for some reason I have yet to figure out, this was enticing to you. The bucket filled with puke sitting next to the bed didn't divert you from getting what you wanted. With no hesitation, you climbed on the bed and began kissing my mouth. Again, the smell of vomit gave you no reason for pause. Neither did my motionless response. Before I had the chance to do or say anything, you put your penis directly in my face, demanding oral sex. I said NO. Yet this wasn't enough for you Ian, as became evident when you responded, "Don't you know how this works? Why did you even come here?"

I strongly believe that your alcohol problem and the grief you must've been experiencing after the loss of your mom contributed to your actions that night. I also believe that neither of these circumstances excuses your behavior. Other men lose a parent and struggle with substance abuse and still manage not to rape anyone. I did not press charges out of rage or a desire to get "revenge". I clearly remember a time before the first preliminary hearing back in January of 2018 when the realization of just how drawn out and ugly this fight could become truly hit home. I would sit in my room at night and lose sleep over the thought of your life being run into the ground for such a careless act. (Of course, at the time I thought I was the only one). I thought about your family and what this must be putting them through. I thought of all the people in your life that invested time and energy into someone they thought would do great things for this world. When my anger and hurt would just about consume me, I would tell myself that, despite what you did to me, you must have some good within you. I have never hated you for you've done, and initially that confused me. I felt that if you were to be convicted one day, I would feel as if I "ruined your life". The day I came to my senses was the day it

clicked with me that although I didn't hate you, I COULD NOT HATE MYSELF EITHER and that I COULD NEVER RUIN YOUR LIFE because YOU DID THAT ALL ON YOUR OWN. I refused to allow you to violate me and get away with it.

Today, Ian, you continue to demonstrate the cowardice you've shown from the moment you raped me. You've hid behind your money, you've hid behind your attorney, and you've avoided all accountability. My aim today is to make up for the integrity, character, and courage you lack by making it clear that I don't need to hear you admit to guilt. I've known within myself for three years now that you are a rapist. I knew it when you were raping me, and I knew when I read your text, *"Like what if there is someone else? If they find out about your kit that might send someone over the edge I don't even know about. I could still be hurting ppl even if I get help."* Your inability to take ownership of your actions only serves as further confirmation that behind your not-so-convincing façade is merely a weak, self-righteous child. You have laughed at me in open court both times I testified. You did the same to the other three victims that came forward while they were on the stand. No man with an ounce of decency or integrity would have done this; but then again, a man that rapes women has no claim to call himself a man at all.

Recently, I read the character witness letters submitted to the court on your behalf. Regardless of what they say, your actions negate the words I read in those letters. It shows me that many people underestimate your skill to manipulate. You have an incredible ability to be the "nice-guy". Your ability to manipulate demonstrates you understand what you are doing when you are hurting someone. You can turn it on and off for whomever your audience is. You can be the SGA president as well as the guy getting arrested at a football game. You can be the guy given the Leader Advancement Scholarship as well as the guy getting kicked out of your fraternity for sexually assaulting

this amazing young woman. You can be the family man and the doting fiancé, as well as the guy wreaking havoc and trauma on women's lives. We see who you really are.

I have grappled with this victim impact statement for weeks. How is it possible to sum up the entirety of heartache, disappointments, shock, and anger from three years in one sitting? As difficult as this is, I truly want to convey here today the hell this experience has been for me since that night and so many nights after. It is important for my own personal healing and closure that I share these events, but even more importantly for the purpose of demonstrating hurdles victims still face and ways in which many of us in this room can be a part of a systemic change.

I've heard it said several times by the defense that the CM Life article was one-sided. What is really one-sided is that every time you bring that up, you forget to mention how Isabella County Prosecutor's office dropped this case with blatant disregard for what happened to me. What was one-sided was their regard for Ian and their lack of regard for me. In reality, because of the one-sidedness of how the original case was handled, I was left with no other option than to release my story in hopes someone would find it compelling enough to take action. CM Life, in writing the article "Breaking Her Silence", allowed me to take the voice back that Isabella County Prosecutor's office stole from me.

As was stated by your defense at the reinstatement hearing: **"...Mr. Elliott who has been put through two preliminary examinations, one to experience the RELIEF of having the charges originally dropped. And then here we are again on a most UNUSUAL revival of these charges."** Prelim 2, pg 74 line 7.

I will begin by saying that just because something is unusual, just because you may not have seen it often during your career, does by no means make it unlawful. Many times what is right is not the common practice. Like we are told as kids, "Just because everyone else is jumping off a cliff doesn't mean you should." This is a clear example of how what is right and just seems shocking. Out of 1000 sexual assaults, 230 are reported to police. Of those, 46 lead to arrest. 9 of these cases will be referred to prosecutors. Only

5 will lead to a felony conviction and, on average, 4.6 rapists will be incarcerated (RAINN). If the AG's office had not intervened in this case, I would have simply added to the statistic of sexual assault victims that never saw justice. My purpose in all of this is to express the travesty in using the word UNUSUAL in the context you did. If it is UNUSUAL for a case that was wrongfully dismissed to be rebrought by the state, then the staggering statistics I just read here today demonstrate that the status quo, the usual outcome in our justice system, is that sexual assault victims do not get the justice they deserve.

After years of enduring the court process, I adamantly believe a major contributor to the impact a victim faces in the time after the assault is the court process itself. For one, I'm aware that you know about *past tensions within my family*. My family, in years past, has experienced turbulent times. I've dealt with the emotions in the aftermath, as each member of my family has. The memories I have of growing up, of my family, of my home; these are private. My family members and I deserve the right to our personal lives and how we have individually coped with the emotional pain that is unique to each of us. What I will say today is that I have never known of another family that has never experienced conflict. Everyone sitting in this room today can say that at some point in their life, their family has had to overcome a hurdle. If I were to evaluate the details of everyone's familial circumstances or conflict and apply the same reasoning that was applied to me during this case by the defense, then I would come to the conclusion that everyone in this room is untruthful and lacks credibility. Even just saying this out loud sounds ridiculous. My family and I's relationship is private. It is irrelevant to what occurred on August 31, 2016. And it is downright invasive and offensive. The real *travesty* is that once you are raped and charges are filed, you are then figuratively raped again and again each time the defense digs into the personal and sensitive details of your past, only to use these details to twist this way and contort that way for their benefit.

Second of all, as to my previous romantic relationships, I still to this day cannot understand why you and your attorney were so interested in presenting those details to

the court and to a jury. No victim and their prosecuting team should ever have to fight as hard we did to simply ask that Rape Shield Laws be acknowledged and respected.

I will always stand by the belief that what I do with another consenting adult behind closed doors is no one else's business except mine. I believed this before you raped me and I believe the same today. Shame on you for violating yet another aspect of life that is meant to be solely mine. I shared intimate details about the sexual assault in the CMLife article. It was difficult for me to do, and my no means did I enjoy releasing that. I had no other options left if I wanted to have a shot at my day in court. If you think this is in any way contradictory to keeping details of my personal sex life to myself, you clearly see no distinction between consensual and nonconsensual.

Thirdly, I am truly sickened when I think back on every attempt made to get a hold of my mental health records. You and your team did everything you could to gain access to privileged mental health notes and medical records under protection of HIPAA laws. Once again (this seems to be a theme) you wanted extremely sensitive subject matter to be handed over on a silver platter with no factual basis to demonstrate relevance. I have no issue with owning the fact that I have struggled with depression. What I have a problem with is presenting that to a jury as something that matters in this case. Just as I don't believe that your depression after losing your mother, your alcoholism, and any other unaddressed mental health issues have any bearing on your truthfulness, I have the right to be afforded this same level of dignity. And so does EVERY OTHER SURVIVOR, when people like you and your attorney seek to attack it. I remember reciting the words "innocent until proven guilty" to myself while waiting for my turn to take the stand. Those words are the backbone and foundation of our criminal justice system, and I stand by them. I did not realize until after being the named victim in a sexual assault case that I would also stand by what it feels to be "guilty until proven otherwise." That is what it feels to constantly feel under attack, simply for the telling the truth.

This mental health topic being used against me is a recurring theme. Before being made aware of the real reason the case was dismissed, the original assistant prosecutor

Larry King told me he doubted I could handle the pressure of a trial. I soon found out this was King's attempt to hide from me that Robert Holmes' (the interim head prosecutor at the time) made an executive decision to drop all three charges because of "insufficient evidence". Let me break this down. To Larry King and anyone who thought I didn't have the strength to see this process through; today I am finishing what I started. To Robert Holmes and anyone else who didn't acknowledge the evidence in this case, please tell me if Ian Elliott's conviction is due to the evidence in this case or whether the criminal justice system you claim to believe in got it all wrong.

At the end of the day, my relationships with my family, my sexuality, and my past struggles with depression do NOT equate to a character default, nor do they damage my credibility. They are simply aspects of what make me human. The experience of being cross-examined as well as experiencing what is said even when not seated on the stand leaves you feeling as if you are a specimen under a microscope; a specimen to be dissected without regard to the pain inflicted in the process.

These last few years have been brutal for me. I didn't rape anyone. I didn't lie. I didn't mock you. You did these things. Yet, you preyed on someone much stronger and fiercer than you; someone with the perseverance and resiliency to be relentless in the fight for justice. Throughout all of it, I remained true to my character. There was no need for me to stoop to your level. I didn't need information about your family, your relationships, or your mental health because I held onto something much stronger – the truth. Playing dirty was not necessary because I believe the truth sets you free. And today is that day. I am tired. I ran out of energy a long time ago and started using reserves I didn't even know I had. But I kept going even when I knew my options were dwindling. This was the fight of my life and I won. I am tired, but I am proud of myself.

The person I am today is not the same person you raped. I am forever changed. With each battle that presented itself came the decision to give up or become better.

- Early on, I learned what it meant to fall flat on my face. A war cannot be won without fighting the battles in between. I lost a LOT of the battles, but I learned to wipe the dirt off my face and keep going.

- I came to understand that gaining respect doesn't happen by giving in to the wishes of others. Only when I respected myself did I realize that respect from others would follow.
- I could have folded many times to what others wanted me to do or wanted me to believe. But someone here today told me to trust my gut. That was the greatest lesson of them all.

I chose to fight back when faced with odds I never thought I'd face, but no survivor of sexual assault should have to go to such lengths to receive justice. Every survivor should be provided options, resources, and accurate information in a timely manner throughout the entire process. Law enforcement needs training on conducting trauma informed investigations. It is unacceptable for any survivor to feel as if they are not believed when meeting with a detective or prosecutor. It is unacceptable for any survivor to be lied to by someone in a position to fight on their behalf. Rape culture and victim shaming are real things. I have felt them first hand. To be asked, "Why didn't you run?" was bad enough. But to hear the words, "Those bruises on your thighs are simply the result of this young man using your thighs as leverage," cut deep. In that moment I felt like I didn't matter. I felt invisible. These kinds of details need to stop falling through the cracks. Victims of sexual assault deserve better.

There were those along the way that let me down, but I'd like to acknowledge the ones who stepped up.

Thank you to CMLife, especially to Emily Davis – an amazing journalist and now a dear friend. Because of your help, we are here today to witness Ian Elliott's sentencing. It seems surreal to think back on our first conversations. We hoped this article would receive a positive reaction, but I don't think either of us dreamed today would be possible.

Thank you to the former Michigan Attorney General Bill Schuette and to the current Attorney General Dana Nessel. Mr. Schuette made the decision to file for the reinstatement of charges and Dana Nessel carried on the torch. Thank you for giving me the chance to fight for justice. That is all I ever wanted from day one.

A huge thank you to Assistant Attorney General Brian Kolodziej. The first time I met you, I wondered if you'd be like the rest of them. I was terrified that what I had to say wouldn't be enough. But you believed me. Certain aspects of this case that others have told me were weaknesses didn't, for one second, make you question whether I deserved justice. The amount of time and effort you've dedicated to this fight is admirable. It is clear you do what you do because you care. I think about all the sexual assault survivors out there who will never get the chance to see their rapist put behind bars because a prosecutor didn't think it was worth their time. All prosecutors should strive to emulate the level of compassion and selflessness you've demonstrated.

Thank you Brooke. You have been there every single step of the way since Ian Elliott raped me. You helped me process things not many people understood. You listened and never judged. You showed up with me at court countless times and we anxiously tapped our feet and wiped our clammy hands together.

Thank you to my family and friends that have stuck by my side and never wavered. There's nothing like three years of immense levels of stress, hardly any answers when you need them, and more disappointments than victories to see who your family and friends truly are.

And finally, thank you to the three other survivors who bravely came forward in this case. When I learned of all of you, I felt sad that other women had to go through this. But I want you to know how much less alone I felt. I had spent so long feeling isolated, and when saw all of your faces this past January I felt more confident than I ever have that continuing this fight was the best thing to do. Not only for myself, but for all of you, and for all other survivors that need to know there is HOPE.

Landy – I have had the pleasure of getting to know you over the past few months. We've had to make super tough decisions and I am proud that we made them as a team. Thank you for your courage to come forward. Because of you, Ian faced charges for the third time this last March. Because of you, this sentencing hearing today was possible. I am grateful to call you my friend. After today, the sentences you and I served will be over and Ian Elliott's will begin.

Thank you again to all you, from the bottom of my heart.



Before I'm done here today, I will state clearly that THERE IS NOTHING THE VICTIM HAS TO GAIN DURING THIS PROCESS - IN FACT, THE VICTIM HAS EVERYTHING TO LOSE. I am saddened that my story is the *unusual* story; whereas the story of a rapist who beats the system is the story we all know by heart. But today is a victory, because today Ian, you are part of the 1%